

1 ARIEL E. STERN, ESQ.  
Nevada Bar No. 8276  
2 NATALIE L. WINSLOW, ESQ.  
Nevada Bar No. 12125  
3 AKERMAN LLP  
1635 Village Center Circle, Suite 200  
4 Las Vegas, Nevada 89131  
Telephone: (702) 634-5000  
5 Facsimile: (702) 380-8572  
Email: ariel.stern@akerman.com  
6 Email: natalie.winslow@akerman.com

7 *Attorneys for The Bank of New York Mellon*  
8 *FKA The Bank of New York as Trustee for the*  
*Certificateholders CWALT, Inc. Alternative*  
9 *Loan Trust 2005-58 Mortgage Pass-Through*  
*Certificates, Series 2005-58*

10 UNITED STATES DISTRICT COURT  
11 DISTRICT OF NEVADA

13 THE BANK OF NEW YORK MELON fka THE  
14 BANK OF NEW YORK AS TRUSTEE FOR  
15 THE CERTIFICATEHOLDERS OF CWALT,  
16 INC., ALTERNATIVE LOAN TRUST 2005-58,  
MORTGAGE PASS-THROUGH  
17 CERTIFICATES, SERIES 2005-58, a New York  
corporation,

18 Plaintiff,

19 vs.

20 DORIS J. BARRETT, an individual; WILLIAM  
21 BARRETT; an individual; 2298 DRIFTWOOD  
TIDE TRUST, a Nevada trust,

22 Defendants.

Case No. 2:17-cv-01809-MMD-PAL

**DISCLAIMER OF INTEREST AND  
STIPULATION FOR DISMISSAL OF  
DORIS J. BARRETT**

24 Plaintiff The Bank of New York Mellon FKA The Bank of New York as Trustee For the  
25 Certificateholders CWALT, Inc. Alternative Loan Trust 2005-58 Mortgage Pass-Through  
26 Certificates, Series 2005-58 (**BNY**) and Doris J. Barrett stipulate as follows:

1           1.       This action concerns the real property located at 2298 Driftwood Tide Avenue,  
2 Henderson, Nevada 89052.

3           2.       Barrett acquired an interest in the property on or about October 2005, as evidenced by  
4 a grant, bargain, sale deed recorded in favor of Barrett and Bill Barrett that was recorded against the  
5 property on October 17, 2005 as instrument no. 20051017-0002586.

6           3.       Barrett and Bill Barrett borrowed \$1,350,000.00 to purchase the property. To secure  
7 the loan, lender Countrywide Home Loans, Inc. recorded a deed of trust against the property on  
8 October 17, 2005 as instrument no. 20051017-0002587. The deed of trust was re-recorded against  
9 the property on December 7, 2005 as instrument no. 20051207-0004047.

10          4.       BNY is the current record beneficiary of the deed of trust. A true and correct copy of  
11 the assignment of deed of trust in favor of BNY was recorded against the property on May 19, 2010  
12 as instrument no. 201005190003468.

13          5.       Barrett no longer claims an interest in the property.

14          6.       Barrett agrees she will not contest any foreclosure by BNY pursuant to the terms of  
15 the deed of trust.

16          7.       Based on Barrett's disclaimer of interest in the property and agreement she will not  
17 contest any foreclosure by BNY pursuant to the terms of the deed of trust, BNY will dismiss Barrett  
18 from this action.

19          8.       Barrett and BNY will bear their own attorneys' fees and costs.  
20  
21  
22  
23  
24  
25  
26  
27  
28

9. This disclaimer of interest and stipulation for dismissal relates only to the disclaimer and dismissal of defendant Doris J. Barrett, and no other defendant.

DATED this 31<sup>st</sup> day of November, 2018.

**AKERMAN LLP**

By: /s/ Natalie L. Winslow  
NATALIE L. WINSLOW, ESQ.  
Nevada Bar No. 12125  
1635 Village Center Circle, Suite 200  
Las Vegas, Nevada 89144

*Attorneys for The Bank of New York Mellon  
FKA The Bank of New York as Trustee for the  
Certificateholders CWALT, Inc. Alternative  
Loan Trust 2005-58 Mortgage Pass-Through  
Certificates, Series 2005-58*

**MCDONALD LAW OFFICES, PLLC**

By: /s/ Brandon B. McDonald, Esq.  
BRANDON B. MCDONALD, ESQ.  
Nevada Bar No. 11206  
2505 Anthem Village Drive, Suite E-474  
Henderson, Nevada 89052  
(702) 385-7411

*Attorneys for Doris J. Barrett*

**ORDER**

Having reviewed the parties stipulation and good cause appearing,

IT IS ORDERED that, based upon Barrett's disclaimer set forth herein, Barrett is dismissed from this case, with prejudice, each party to bear its own attorney's fees and costs.

Dated: January 2, 2019, ~~2018~~.



**UNITED STATES DISTRICT COURT JUDGE**